

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

788190/98002US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/069098

INTERNATIONAL APPLICATION NO.

PCT/US00/11400

INTERNATIONAL FILING DATE

28 April 2000 (28.04.00)

PRIORITY DATE CLAIMED

29 April 1999 (29.04.99)

TITLE OF INVENTION

Cloned and Engineered Plants and Method of Use for
Bioremediation

APPLICANT(S) FOR DO/EO/US

Rogers, Suzanne

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) 10/069098		INTERNATIONAL APPLICATION NO. PCT/US00/11400		ATTORNEY'S DOCKET NUMBER 788190/98002US			
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$ 740.00</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$ 740.00	
\$ 740.00							
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$	
\$							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$			
Total claims	36 - 20 =	16	x \$18.00	\$ 288.00			
Independent claims	6 - 3 =	3	x \$84.00	\$ 252.00			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$			
TOTAL OF ABOVE CALCULATIONS =				\$ 1,280.00			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">+</td> <td style="width: 50%; border: none;">\$ 640.00</td> </tr> </table>		+	\$ 640.00
+	\$ 640.00						
SUBTOTAL =				\$			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$	
\$							
TOTAL NATIONAL FEE =				\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;">40.00</td> </tr> </table>		\$	40.00
\$	40.00						
TOTAL FEES ENCLOSED =				\$ 680.00			
				Amount to be refunded: \$			
				charged: \$			
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>680.00</u> to cover the above fees is enclosed. Ck. No. 7-021846</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-4295</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Megan D. Dortenzo, Esquire Steptoe & Johnson PLLC P.O. Box 2190 Clarksburg, WV 26302-2190 Voice: 304-624-8000 Fax: 304-624-8183</p> <div style="text-align: right; margin-top: 20px;"> SIGNATURE <u>Megan D. Dortenzo</u> NAME <u>39,172</u> REGISTRATION NUMBER </div>							



www.steptoelaw.com

JCO7 [redacted] ec'd PCT/PTO 10/069098
26 OCT 2001

Writer's Contact Information

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Box PCT

"Express Mail" Mailing Label No.: ET541903397US

Date of Deposit: October 26, 2001

Re: National filing of PCT Patent Application
U.S. Appl. No. (to be assigned); U.S. Filed: (herewith)
International Application No.: PCT/US00/11400
International Filing Date: April 28, 2000
Priority Date: April 29, 1999
For: **Cloned and Engineered Plants and Method of Use for Bioremediation**
Inventor: Suzanne D. Rogers
Our Ref: 788190/98002

It is respectfully requested that the attached postcard be stamped with the filing date and unofficial application number and returned as soon as possible.

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Assistant Commissioner for Patents
October 26, 2001
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-4295. A duplicate copy of this letter is enclosed.

Respectfully submitted,
STEPTOE & JOHNSON PLLC

A handwritten signature in black ink, appearing to read "Megan D. Dortenzo". The signature is fluid and cursive, with the first name "Megan" being more prominent.

Megan D. Dortenzo
Attorney for Applicant
Registration No. 39,172

788190/98002